

REMARKS

In the aforementioned last mailed Action, claims 1-14 were pending consideration for examination. The entire set of claims (1-14) stand rejected and unpatentable as they are deemed to be obvious in view of certain combinations of the reference of record.

Applicant has carefully studied the Action as well as the references in view of the separate rejections of claims.

The following remarks and distinctive arguments are provided in order to more clearly set forth the patentable subject matter of the claimed invention.

Claims 2-5 as previously considered have been cancelled as indicated.

The dependency of each of claims 12 and 14 have been changed such that each of these claims now depend from claim 8.

Claims 1, 2, 11 and 13 have been amended as provided herein noting that Applicant has taken appropriate care to avoid the introduction of any new matter. The bases for these amendments can be found in the Examples provided in the specification at page 52, line 18 through page 63 wherein the Examples show the unique effects of volume hologram transfer foil having a breaking strain at 25°C in a range of from 0.5% to 15% for both the volume hologram layer and the heat sensitive adhesive layer. The difference in breaking strength between the two layers at 25°C is 8% or less.

The volume hologram transfer foil of the present invention shows excellent foil cutting properties since the values of the breaking strains of the volume hologram layer and the heat sensitive adhesive layer are in a comparable level. The claim amendments reciting these distinctive features serve to make clear the difference in the breaking strain between the volume hologram layer and the heat sensitive adhesive layer which can allow the volume hologram transfer foil of the invention to advantageously have excellent foil cutting properties.

These advantageous foil cutting properties are achieved and result in having: a breaking strain at 25°C in a range of 0.5% to 15% for the volume hologram layer and the heat sensitive adhesive layer, and a difference in the breaking strain at 25°C between the two layers of 8% or less. The Toshine et al. '253 reference (hereinafter, Toshine '253) discloses a holographic

transfer foil having structure somewhat similar to that of the present invention. However, the hologram transfer foil of the present invention provides the excellent foil cutting properties as discussed hereinabove. Toshine '253 does not remotely teach, suggest or disclose these advantageous properties exhibiting such a difference in the breaking strain between the volume hologram layer and the heat sensitive adhesive layer being 8% or less.

It is submitted that it would not be readily apparent or mere routine experimentation to easily achieve the volume hologram transfer foil of the present invention in view of the Toshine '253 reference. Therefore, it is submitted that claim 1 as amended is not obvious. The same rationale applies to claims 2, 11 and 13 which depend from amended claim 1.

Claims 3 to 6 are cancelled without prejudice. Claims 12 and 14 are now provided as being dependent on claim 8 which as amended is believed to be patentable by overcoming the obviousness rejection of record.

Claim 1 as amended is submitted to have overcome the rejection of record as discussed above for the same reasons provided above distinguishing claim 1 over the Toshine reference and should now apply to claims 12 and 13 which now depend from claim 8.

Regarding the rejection of claims 1-14 as being unpatentable and obvious over Otaki et al. '521 in view of Killey '672.

Applicant submits that claim 1 is amended as discussed above and at least meets and is submitted to overcome this rejection for the same reasons listed above. The same should also apply to claims 2, 7, 9, 11 and 13 which are dependent claims on the amended claim 1.

Claim 8 has been held to be obvious over Otaki et al. '521 (hereinafter, Otaki) in view of Killey '672 (hereinafter, Killey). One feature of claim 8 which is believed to distinguish the instant invention over Otaki is that the fine particles in the heat sensitive adhesive layer are an organic fine particles having thermoplasticity and a glass transition temperature of 120°C or higher.

Otaki, on the other hand, discloses that the fine particles of that reference are comprised in the heat sensitive adhesive layer. These fine particles are inorganic fine particles such as a calcium carbonate and titanium dioxide which are from the organic fine particles of claim 8. Further, the desired result or effect of using an organic fine particle in the heat sensitive adhesive

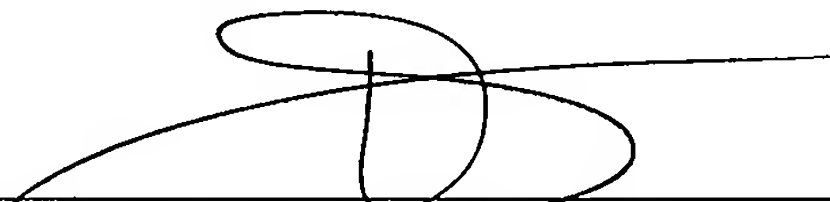
layer is that excellent foil cutting properties are had (see page 5, line 25 to page 6, line 3, and page 15, lines 19 to 21 of the specification). Other advantageous effects of the present invention over the art are: i. a heat sensitive adhesive layer can be transparent because the refractive index with a synthetic resin constituting a heat sensitive adhesive layer is relatively close, coloration can be altered by using an inorganic pigment incorporated therein; ii. The stability of the heat sensitive adhesive layer can be improved by controlling the functional group on the surface of the fine particle in comparison with inorganic fine particles (see page 15, line 21 to page 16, line 2). These advantageous and unexpected effects result from the fact that the organic fine particle is employed over an inorganic fine particles disclosed in the cited references.

Accordingly, it is submitted that it would be readily apparent to one skilled in the art to achieve the invention of claim 8 in view of a combination of Killey with Otaki. Therefore, claim 8 is submitted not to be obvious nor any of the claims dependent thereon.

In view of all of the aforesaid, favorable reconsideration and the early issuance of the Notice of Allowance is requested.

Respectfully Submitted,

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